

**AN ORDINANCE GRANTING AN AMENDMENT TO AN EXISTING SPECIAL USE PERMIT
ALLOWING FOR THE CONSTRUCTION OF A BASKETBALL COURT AND MONUMENT SIGN
AT COUNTRYSIDE ELEMENTARY SCHOOL, AT 205 W. COUNTY LINE ROAD**

WHEREAS, Section 5-10-7 of the Zoning Code of the Village of Barrington Hills ("Village") authorizes the Village Zoning Board of Appeals ("ZBA") to recommend, and the Board of Trustees to approve, special uses within the zoning districts of the Village; and

WHEREAS, Barrington Community Unit School District 220 ("Applicant") applied for the grant of an amendment of an existing Special Use Permit to allow for the construction of a non-illuminate asphalt basketball court and a non-illuminated monument sign to replace an existing monument sign to serve Countryside Elementary School, located at 205 W. County Line Road ("Property"), which Application is on file with the Village's Building Department as of the date of hearing; and

WHEREAS, on April 17, 2016, the ZBA, with six members present and voting on this matter, held a public hearing on the Application for the amendment to the Special Use Permit, prior to which time all notice of the public hearing was published in a timely manner in the Daily Herald as well as posted in the Village Hall, and individual notice was provided to all property owners within two hundred fifty feet (250) of the Property, as recorded in the most recent real estate tax records, and notice was properly posted on the Property; and

WHEREAS, Section 5-10-7(E) of the Village Zoning Code establishes standards which must be met before the ZBA may recommend approval of an amendment to a Special Use Permit; and

WHEREAS, at the close of the public hearing, the ZBA made all necessary findings of fact as to compliance with the standards set forth in Section 5-10-7(E) of the Village Zoning Code, and recommended on a 6 to 0 vote of the six members present and voting that an amendment to the Special Use Permit be granted, as are set forth in the Findings of Fact and Recommendations in Exhibit A attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, as a home rule municipality the following:

SECTION ONE: The Special Use Permit is hereby amended to allow for the construction of an asphalt basketball court and the removal and replacement of an existing monument sign in accordance with the plans submitted as part of the Application.

SECTION TWO: If any part or provision of this Ordinance shall be held or deemed invalid, such invalidity shall not have the effect of rendering another part or provision of this Ordinance invalid.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Ayes: Nays: Absent:

PASSED AND APPROVED by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 25th day of April, 2016.

APPROVED:

ATTEST:

Village President

Village Clerk

April 21, 2016

To: President and Board of Trustees
Village of Barrington Hills

RE: Application for Special Use Permit Amendment
For a Basketball Court and Monument Sign
Countryside Elementary School/CUSD 220

This is to advise you that at a public hearing of the Zoning Board of Appeals ("ZBA") held at 7:30 P.M. on Monday, April 18, 2016, in the MacArthur Room of the Village Hall, where a quorum was present, the ZBA considered the application of the Barrington Community Unit School District ("CUSD") 220 ("Applicant") for the grant of an amendment of an existing Special Use Permit to allow the installation of a non-illuminated asphalt basketball court and a non-illuminated monument sign at Countryside Elementary School, located at 205 W. County Line ("Property"), identified as PINs 01-03-100-005 and 01-03-100-105.

Notice of the hearing was published in a timely manner in the Daily Herald as well as posted in the Village Hall. Proof of individual notice, by registered mail, return receipt requested, was submitted for all property owners within 250 feet as recorded in the office of the tax assessor of the appropriate township, and the notice of the hearing was properly posted on the Property.

The Applicant was represented at the public hearing by Gregory Stahler, AIA of the Cashman Stahler Group, and Tom Campagna, CFM of CUSD 220. Testimony in support of the Application for amendment to the Special Use Permit was presented as follows.

FACTS

Countryside Elementary School holds, by operation of law, a Special Use Permit to exist as a school in the Residential District. Applicant seeks to amend the Special Use Permit to allow construction of a non-illuminated asphalt basketball court, and to remove and replace an existing monument sign, which will also be non-illuminated. Applicant owns the Property, which has been home to the Countryside Elementary School for decades. The new basketball court is to enhance the present instructional serves uses afforded the students of the school, and will provide an expansion to the present site play surfaces available. The removal of the existing monument sign with a new non-illuminated sign is a planned upgrade to the condition and character of the existing sign to match the CUSD 220's exterior sign program in plat at the other CUD 220 properties.

FINDINGS

The ZBA, after having examined the facts as presented, and taking in consideration the testimony set forth during the public hearing, voted unanimously 6-0, one absent, to recommend approval of the Application for amendment to the Special Use Permit, finding that the facts set forth in the Application, and as testified to at public hearing, are sufficient for the approval of the grant of the amendment to the Special Use Permit, those facts being:

Standards for Special Use Permit:

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The District's continuous presence at the site indicates that the establishment, maintenance, and operation of the present school as a Special Use has not been, nor will it be, detrimental to nor endanger the public health, safety, comfort, morals or general welfare.

The new proposed site improvements, which are similar in character, use and quality to the present site improvements, will not detrimentally impact, or materially alter the existing Special Use that has been established, maintained and in continuous operation on the property.

2. That the special use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish property or impair property values within the neighborhood.

The purpose of the new asphalt basketball court site improvement is for the enhancement of the present instructional services uses afforded the students. The additional opaved play surface is an expansion of present site play surfaces available to the students.

The replacement of the existing site monument sign is for the purposes of upgrading the condition and character of the existing sign to match the District's exterior sign program in place at the other District properties in the surrounding communities.

The site improvements will not be injurious to the use and enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the neighborhood.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The existing school and school property are essential elements of the community and neighborhood. The new site improvements are similar in character to existing site improvements presently on the school property. As such they will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

4. That adequate utilities, access roads, drainage and/or other facilities have been or are being provided.

All existing utilities (i.e., electrical service, gas service, well and domestic water service, septic field and sanitary service) for the building are adequate and will be unchanged by the proposed improvements.

All existing access roads will be unchanged by the proposed improvements.

The existing storm water management system designed for the existing site and building impervious area will be materially unchanged. The proposed new impervious asphalt surface will have no adverse effects on the surrounding properties and will be in compliance with local governmental authority regulations.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads.

The proposed site improvements will not necessitate the modification of the existing, established vehicular and pedestrian traffic ingress and egress to the property, or traffic circulation patterns or congestion in the public streets and roads surrounding the property.

6. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the board of trustees pursuant to the recommendations of the zoning board of appeals.

The proposed site modifications will conform with all applicable regulations.

RECOMMENDATION

The Zoning Board of Appeals recommends that the Village Board approve the request for the amendment to the existing Special Use Permit to allow the installation of a non-illuminated asphalt surface basketball court and the removal and replacement of a non-illuminated monument sign in the manner and placement as depicted in the Application, at the Countryside Elementary School, 205 W. County Line Road.

Respectfully submitted,

Zoning Board of Appeals
Village of Barrington Hills